UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23920
15 May 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 12 MAY 1992 FROM THE PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Austria to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to submit the following report in accordance with paragraph 8 of Security Council resolution 748 (1992):

Austria is fully implementing the air embargo against the Libyan Arab Jamahiriya as provided for by paragraph 4 of resolution 748 (1992). A decree soon to be issued by the Austrian Federal Minister for Economic Affairs under the Foreign Trade Act of 1984 will subject to the requirement of prior permission by that Federal Ministry those legal transactions or activities that are prohibited by paragraph 4 of the resolution. It is understood that no such permission will be granted. Engineering and maintenance servicing is not available in Austria for Libyan aircraft or aircraft components and the airworthiness of Libyan aircraft will not be certified in Austria. With regard to the prohibition concerning insurance contracts, specific legislation is being prepared which will be submitted to the Austrian parliament.

In order to implement paragraph 5 of the resolution, the Austrian Federal Government issued a decree, on 5 May 1992, under the Federal Act of 1977 regulating the export, import and transit of weapons and military equipment. This decree provides for a comprehensive prohibition of any export to the Libyan Arab Jamahiriya of weapons and military equipment as well as of civil arms and civil ammunition. Any violation of the provisions of this decree is subject to specific penal sanctions.

Legal transactions or activities relating to the export of weapons, ammunition and explosives to the Libyan Arab Jamahiriya are also fully covered by the decree of 30 April 1992 issued by the Austrian Federal Minister for Economic Affairs under the Foreign Trade Act of 1984. This decree subjects all such legal transactions or activities to the requirement of prior permission by that Federal Ministry. Again it is understood that no such permission will be granted.

In accordance with paragraph 6 of the resolution and following consultations with the United Nations Office at Vienna, the International Atomic Energy Agency and the United Nations Industrial Development Organization, Austria requested the Libyan Arab Jamahiriya to reduce its diplomatic staff in Vienna. In compliance with this request, the Austrian authorities have been informed by the Libyan People's Bureau in Vienna that two Libyan diplomats have been recalled. The security measures envisaged in paragraph 6 are being undertaken by the Austrian police authorities, including appropriate measures with regard to the movement of Libyan diplomats accredited in Vienna. The Austrian Federal Ministry for Public Economy and Transport has suspended the commercial activity of the Vienna office of the Libyan Arab Airlines.

It follows from the foregoing that Austria is fully implementing the mandatory measures adopted by the Security Council in resolution 748 (1992).